

HOUSE BILL 3675

By Stewart

AN ACT to amend Tennessee Code Annotated, Title 59,
Chapter 8, relative to coal surface mining.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known and may be cited as the "Highest and Best Use Act".

SECTION 2. Tennessee Code Annotated, Title 59, Chapter 8, Part 3, is amended by adding the following language as a new, appropriately designated section:

§ 59-8-357.

For purposes of the Surface Mining Control and Reclamation Act of 1977, 30 U.S.C. 1265, § 515(b)(2), the general assembly finds that state land set aside for outdoor recreation derives its value from its diverse and natural state. The highest and best use of state land set aside for outdoor recreation is outdoor recreation. Further, the highest and best use of state land set aside due to its recreational potential, natural state or wild or pristine character is such use that retains the recreational potential, natural state or wild or pristine character or such other characteristic that makes the land unique and valuable to the citizens of Tennessee.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.